

Applicant : Richard W. Harger
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REMARKS:

Applicant acknowledges the Examiner's review of the specification, claims, and drawings. The amendments and remarks presented herein are believed to be fully responsive to the Office Action dated May 12, 2006. In light of the above amendments and following remarks, Applicant respectfully requests reconsideration of the present application. The amendments and remarks presented herein are fully supported by the application as originally filed. No new matter has been entered.

STATUS OF THE CLAIMS:

Claims 1-21 and 49-55 were pending in the application. Claims 22-48 were previously withdrawn. The present response amends claims 1, 3, 5, 7, 8, 12, 14, 21, and 49, and cancels claims 2, 4, 15, and 50. Claims 1, 3, 5-14, 16-21, 49, and 51-55 remain pending in the application.

CLAIM REJECTIONS UNDER 35 U.S.C. §102:

The Office Action rejects the claims under 35 U.S.C. §102(b) as follows:

- Claims 1-2, 4-6, and 8 are rejected as being anticipated by Crockett (U.S. Pat. No. 6,131,749);
- Claims 14-18, 21, and 49-51 are rejected as being anticipated by Cox (U.S. Pat. No. 3,100,573);
- Claims 1-2, 8, 9, 14-15, 19, 49-50, and 52-53 are rejected as being anticipated by Poles (U.S. Pat. No. 7,742,272);
- Claims 1, 7, 13-14, 49, 53, 55 are rejected as being anticipated by Hickok (U.S. Pat. No. 3,338,422); and
- Claims 1, 14, 49, and 54 are rejected as being anticipated by Meloy (U.S. Pat. No. 5,467,842).

Claims 2, 4, 15, and 50 have been cancelled, thereby obviating the rejections with respect to these claims. The rejection of claims 5-13, which ultimately depend from claim 1, will be addressed below in regard to claim 1. The rejection of claims 16-21, which ultimately depend from claim 14, will be addressed below in regard to claim 14. The rejection of claims 51-55, which ultimately depend from claim 49, will be addressed below in regard to claim 49.

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A. Claim 1:

Applicant respectfully traverses the rejection. Claim 1 has been amended to more clearly define Applicant's invention, which now calls for:

1. A portable event rack stand assembly comprising:
 - a first support stand having a first frame and a first attachment member attached to said first frame, said first frame including two side members, said side members being fixed relative to one another and angularly converging upwards and connected to said first attachment member;
 - a second support stand having a second frame and a second attachment member attached to said second frame, said second frame including two side members, said side members being fixed relative to one another and angularly converging upwards and connected to said second attachment member; and
 - a connecting member having first and second connecting member ends;
 - wherein said connecting member is removably received by said first and second attachment members, wherein said first and second attachment members comprise tubular first and second stand sleeves, and wherein said first stand sleeve is normal to a plane defined by said first frame, and wherein said second stand sleeve is normal to a plane defined by said second frame with said connecting member configured to be slidably received in said first and second stand sleeves.

Applicant respectfully submits that the portable event rack stand assembly of claim 1 is not anticipated by Crockett, Poles, Hickok, or Meloy. For example, none of Crockett, Poles, Hickok or Meloy disclose frames having side members that are fixed relative to one another and which are connected to tubular stand sleeves that are normal to a plane defined by the frames. Indeed, Meloy includes pivotable legs 19, 20 or 21, 22 that are held in position by chain 24 and angled braces 23a-d which is unlike the portable event rack stand of claim 1. Further, each leg 19, 20 and 21, 22 of Meloy is attached to a separate leg collar 15, 17 and 16, 18, which is also unlike the portable event rack stand of claim 1. The references also do not disclose a connecting member configured to be removably and slidably received in the tubular stand sleeves of the frames.

Applicant submits that the portable event rack stand assembly of claim 1 is not anticipated by Crockett, Poles, Hickok, or Meloy for the reasons discussed above, or the other references of record, and respectfully requests a Notice of Allowance of claim 1, as well as of claims 3 and 5-13, which depend from claim 1.

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B. Claims 3, 5-11, and 13:

Applicant notes that the Office Action failed to address the rejection of claims 3, 10, and 11. Claims 5-9 and 13, as well as claims 3, 10, and 11, ultimately depend from the portable event rack stand assembly of claim 1 and are thus, Applicant submits, allowable for the reasons discussed above in regard to claim 1. In addition, none of Crockett, Poles, Hickok, and Meloy disclose such a portable event rack stand assembly having generally triangular frames formed by a base connected to the side members of the frames as set forth in claim 3, or a stabilizing foot on the base members as disclosed in claim 8. The references also do not disclose such an assembly wherein the ends of the connecting member are each located proximate a support stand as set forth in claim 5, or lock holes on the connecting member ends for receiving locks as set forth in claim 6, or a cable extending through a hollow connecting member as set forth in claim 7. None of the references disclose such a portable event rack stand assembly having frames that include a mounting post extending substantially vertically upward from each frame for receiving a mounted member as set forth in claim 9, or such a mounting post having a stop or postholes for receiving a pin as set forth in claims 10 and 11, respectively. Further, none of the references disclose such a portable event rack stand assembly including at least one locking ring slidably disposed about the connecting member as set forth in claim 13.

In like manner to claim 1, each of claims 3, 5-11, and 13 are also not anticipated by any of the references of record and Applicant respectfully requests a Notice of Allowance of claims 3, 5-11, and 13 for the above discussed reasons.

C. Claim 14:

Applicant respectfully traverses the rejection. Claim 14 has been amended to more clearly define Applicant's invention, which now calls for:

14. A portable event rack stand assembly comprising:

a first support stand having a first frame and a first attachment member attached to said first frame, said first frame including a first mounting post and two side members, said side members angularly converging upwards and being connected to said first attachment member with said first mounting post extending generally vertically upwards from said first frame;

a second support stand having a second frame and a second attachment member attached to said second frame, said second frame

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including a second mounting post and two side members, said side members angularly converging upwards and being connected to said second attachment member with said second mounting post extending generally vertically upwards from said second frame; and

a mounted member;

wherein said mounted member is adapted to be received by at least one of said first and second mounting posts, and wherein said first and second attachment members comprise tubular first and second stand sleeves, and wherein said first stand sleeve is normal to a plane defined by said first frame, and wherein said second stand sleeve is normal to a plane defined by said second frame.

Applicant respectfully submits that the portable event rack stand assembly of claim 14 is not anticipated by Cox, Poles, Hickok, or Meloy. For example, none of Cox, Poles, Hickok or Meloy disclose frames having side members that angularly converge upwards and which are connected to tubular stand sleeves that are normal to a plane defined by the frames, with the frames including mounting posts extending generally vertically upwards from the frames and a mounted member adapted to be received by at least one of the mounting posts.

Applicant submits that the portable event rack stand assembly of claim 14 is not anticipated by Cox, Poles, Hickok, or Meloy for the reasons discussed above, or the other references of record, and respectfully requests a Notice of Allowance of claim 14, as well as of claims 16-19 and 21, which depend from claim 14.

D. Claims 16-19 and 21:

Claims 16-19 and 21 ultimately depend from the portable event rack stand assembly of claim 14 and are thus, Applicant submits, allowable for the reasons discussed above in regard to claim 14. In addition, none of Cox, Poles, Hickok, and Meloy disclose such a portable event rack stand assembly including a mounted member constructed as a banner display having legs adapted to be received by the mounting posts as set forth in claim 16, or with such mounting posts having stops or postholes for receiving a pin as set forth in claims 17 and 18, respectively. None of the references disclose such an assembly including a mounted member constructed as a cover assembly having a horizontal cover member extending between two vertical cover members and a tarpaulin disposed over the horizontal cover member as set forth in claim 19. Further, none of Cox, Poles, Hickok, and Meloy

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disclose such a portable event rack stand assembly including a connecting member adapted to be received by the stand sleeves as set forth in claim 21.

In like manner to claim 14, each of claims 16-19 and 21 are also not anticipated by any of the references of record and Applicant respectfully requests a Notice of Allowance of claims 16-19 and 21 for the above discussed reasons.

E. Claim 49:

Applicant respectfully traverses the rejection. Claim 49 has been amended to more clearly define Applicant's invention, which now calls for:

49. A portable event rack stand assembly comprising:

a first support stand having a first frame and a first attachment member attached to said first frame, said first frame including a first mounting post and two side members, said side members angularly converging upwards and being connected to said first attachment member with said first mounting post extending generally vertically upwards from said first frame;

a second support stand having a second frame and a second attachment member attached to said second frame, said second frame including a second mounting post and two side members, said side members angularly converging upwards and being connected to said second attachment member with said second mounting post extending generally vertically upwards from said second frame; and

a connecting member having first and second connecting member ends;

wherein said first and second attachment members are adapted to removably receive said ends of said connecting member, and wherein said mounting posts are each adapted to receive a mounted member, wherein said first and second attachment members comprise tubular first and second stand sleeves, and wherein said first stand sleeve is normal to a plane defined by said first frame, and wherein said second stand sleeve is normal to a plane defined by said second frame with said connecting member configured to be slidably received in said first and second stand sleeves.

Applicant respectfully submits that the portable event rack stand assembly of claim 49 is not anticipated by Cox, Poles, Hickok, or Meloy. For example, none of Cox, Poles, Hickok or Meloy disclose frames having side members that angularly converge upwards and which are connected to tubular stand sleeves that are normal to a plane defined by the frames, with the frames including mounting posts extending generally vertically upwards from the frames that are each adapted to receive a mounted member. The references also do not disclose a

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connecting member configured to be removably and slidably received in the tubular stand sleeves of the frames.

Applicant submits that the portable event rack stand assembly of claim 49 is not anticipated by Cox, Poles, Hickok, or Meloy for the reasons discussed above, or the other references of record, and respectfully requests a Notice of Allowance of claim 49, as well as of claims 51-55, which depend from claim 49.

F. Claims 51-55:

Claims 51-55 ultimately depend from the portable event rack stand assembly of claim 49 and are thus, Applicant submits, allowable for the reasons discussed above in regard to claim 49. In addition, none of Cox, Poles, Hickok, and Meloy disclose such a portable event rack stand assembly including a mounted member constructed as a banner display having legs adapted to be received by the mounting posts as set forth in claim 51, or including a mounted member constructed as a cover assembly having a horizontal cover member extending between two vertical cover members and a tarpaulin disposed over the horizontal cover member as set forth in claim 52. None of the references disclose such an assembly including lock holes on the connecting member ends for receiving locks as set forth in claim 53, or a cable extending through a hollow connecting member and hollow attachment members as set forth in claim 54, or including at least one locking ring slidably disposed about the connecting member as set forth in claim 55.

CLAIM REJECTIONS UNDER 35 U.S.C. §103:

The Office Action rejects claims 12 and 20 under 35 U.S.C. §103(a) in view of Meloy (U.S. Pat. No. 5,467,842), taking the position that "it would have been obvious to one with ordinary skill in the art at the time of the invention to construct the rack stand of Meloy from any material with any type of coating appropriate for the desired use."

Claim 12 depends from claim 1 and claim 20 depends from claim 14. Applicant submits, as discussed above, that none of Crocket, Cox, Poles, Hickok, or Meloy disclose the portable event rack stand assembly of either claims 1 or 14. Furthermore, regardless of the lack of motivation or suggestion to combine the references, no such combination would disclose the portable event rack stand assembly of either claims 1 or 14, let alone that of a

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portable event rack stand assembly having frames and stand sleeves formed of a metallic material and coated with a polymeric material as set forth in claims 12 and 20. Applicant respectfully submits, therefore, that claims 12 and 20 are not obvious in view of Meloy and request a Notice of Allowance of claims 12 and 20.

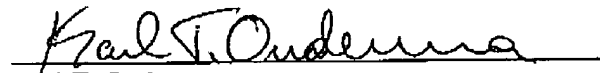
In light of the above amendments and remarks, Applicant respectfully requests reconsideration of the present application and a Notice of Allowance of all claims. Should the Examiner have any questions or need further information, the Examiner is respectfully requested to contact the undersigned counsel for Applicant at the address and number set forth below.

Respectfully submitted,

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By: Van Dyke, Gardner, Linn & Burkhardt, LLP

Date: October 12, 2006.


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